

From: Rich Wray
To: Microsoft ATR
Date: 1/2/02 4:27pm
Subject: Microsoft Settlement

I have a small real estate investment and management business in Southern California, and I have been a satisfied user of Microsoft products in my business since 1995. I also own a small amount of their stock. During the past several years I have followed closely the anti-trust trial, and, frankly, I cannot understand the governments position against Microsoft, their products and their business practices. In my opinion, the only plausible explanation is politics. It is the ugly side of our system of government where competitors use political contributions to gain access to holders of public office and judges in order to gain an advantage against a business competitor. For me it is particularly disapointing that the primary example of this ugly part of politics is occuring in my home state, where Oracle and Sun Microsystems have teamed up with Attorney General Bill Lockler for their respective personal gain.

I know that Microsoft products have been greatly responsible for the increase in productivity of individuals and business, especially during the past seven years, because in my business we are able to accomplish with 3 people what required 6 or more people in the 1980's and early 1990's. The difference is profitability for myself and better pay for my employees. We are not technical people, so we would not be able to take advantage of computers and the internet without the software provided by Microsoft. Also, as Microsoft has incorporated more into their operating system, we have been able to take even greater advantage of technology. We now regularly use the internet in our business to communicate, purchase goods and services, and to access information, all without the need to know how it works. I for one do not want to revert to a world where these capabilities are available only to the technologically advantaged.

My son is an electrical engineer and, prior to his graduation from college, he was not a fan of Microsoft. Like most technology people, he prided himself in the ability to use linux and other software programs that a technically-challenged person such as myself could not use without a great deal of training. Now that he is in the business world, he appreciates Microsoft products because he now understands the necessity for all people to communicate on the internet and to use the power of computers, which non-tecnical people would not be able to do without Microsoft or similar software. Sun Micro, Oracle, AOL and others could have chosen to develop competing technologies to challenge Microsoft's growing dominance, but, instead they have chosen to use their vast resources to fund a political challenge instead.

My understanding of anti-trust law is limited, but I thought that the over-riding intent was to protect the consumer. How is the consumer protected by restricting his ability to access the internet and other

technologies by limiting the extent to which such abilities can be incorporated into the operating system of their computer? Also, how has the consumer been harmed? Anyone who has purchased software knows that Microsoft products are not expensive, certainly not when compared to other operating systems and business software. As for Microsoft's business practices, most of what I have heard has centered on things like volume discounting and controlling "shelf space", that is access to the desk top. In my opinion, these are normal business practices.

If Microsoft has a monopoly in operating systems and even business applications, then it is a de-facto monopoly. The consumer has selected Microsoft products overwhelmingly for their performance, not for lack of alternatives. The same can be said for AOL. What is the point of the never-ending legal onslaught against Microsoft other than for the personal gain of individuals in the Federal Justice Department (especially under Clinton), the State's Attorney Generals, the aforementioned Oracle, Sun Microsystems and AOL, and every class-action lawyer in the United States anxiously awaiting their turn to profit from this legal war on Microsoft. For the consumer, what might the award be, some discount coupon on their next Microsoft product? Obviously, this legal war on Microsoft is not about the consumer at all. Its about politics.

I do not believe that Microsoft owes anything to anyone for their success. However, if Microsoft gives software and re-conditioned computers to schools, the schools and the children are winners. Of course, Microsoft might also be a winner if this means that more schools in the future buy Microsoft instead of Apple, or more children and their families do the same. The only way to avoid this result is to deprive the schools and the children of the Microsoft products, or for Apple to improve upon their product.

Let's bring this legal warfare to an end. Accept the Microsoft settlement. For those states that choose not to do so, let them continue their battle on their own. Maybe the citizens of their states will become as disgusted with the costs and the process as am I.

Thank you.

Rich Wray